

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.378 of 2020

Arising Out of PS. Case No.-223 Year-2019 Thana- MAHESI District- East Champaran

NANHAK HUSSAIN @ MD. RAIFUDDIN Son of Lal Mohammad @
Sheikh Abdullah Resident of Village-Bahadurpur, P.S.-Mehsi, District-East
Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-02-2020 The petitioner seeks regular bail in connection with
Mehsi P.S. Case No. 223 of 2019, registered for offences
punishable under Sections 341, 323, 313, 376 and 504 of the
Indian Penal Code.

Allegation as per F.I.R. is that the petitioner on the
assurance of marriage, established physical relationship and he
also got her pregnancy terminated and when she asked for
marriage, petitioner refused to marry her and abused and
assaulted her.

It has been submitted on behalf of the petitioner that
the F.I.R., itself shows that the girl is aged about 19 years and
there is no allegation of forcibly establishing physical
relationship rather the physical relationship was established out



of consent of informant and only to pressurize the petitioner to marry her, this false case has been lodged. Further submission is that petitioner has no criminal antecedent and he has been in judicial custody since 09.08.2019.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Mehsi P.S. Case No. 223 of 2019, subject to the condition that petitioner will cooperate in disposal of trial and make himself available as and when required by the court below, failing which, the prosecution shall move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

